

REMARKS

Applicant thanks the Examiner for the very thorough consideration given to the present application. Claims 1-42 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

DRAWINGS

The Examiner has approved Applicant's changes to the drawings filed on January 24, 2003. Applicant encloses herewith a replacement sheet of drawings.

CLAIM OBJECTIONS

Claim 19 stands objected to for certain informalities. Applicants have amended Claim 19 according to the Examiner's suggestion. Reconsideration and withdrawal of this objection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-6 and 14-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Smiley (U.S. Pat. No. 3,579,142, hereinafter Smiley), Ullman et al (U.S. Pat. No. 5,903,583, hereinafter Smiley) and Brauch et al. (U.S. Pat. No. 5,553,088, hereinafter Brauch). This rejection is respectfully traversed.

At the outset, Applicant notes independent claim 1 includes the limitation of "said back surfaces of said laser gain medium elements being in contact with said front

surface of said substrate . . . [and] an optical coating on said back surface thereof to provide high reflectivity at a casing wavelength.” Claim 14 similarly includes “said second one of said pair of surfaces [of each laser gain medium elements] including a coating which is substantially reflective of radiation at a laser gain wavelength; said second one of said pair of surfaces being disposed against said support surface of said substrate.” Applicant respectfully submits this feature is not taught or suggested by the pages of the Applicant’s specification, Smiley, Ullman or Brauch.

The pages of Applicant’s specification is silent on the use of coatings, and the plurality of laser gain medium elements as noted by the Examiner. The Examiner states it would have been obvious in light of Brauch to include coatings on the laser gain medium elements. Applicant respectfully submits the proposed modification of the laser gain mediums described in Smiley with the teachings of Brauch would render the laser gain medium elements of Smiley improper for their intended purpose. In particular, Smiley discloses a laser oscillator wherein the resulting laser beam 13 exits the substrate 10 as shown in Figure 10. To place reflective coating on the cooling surface as apparently taught by Brauch would render the laser gain medium of Smiley unsatisfactory for its intended purpose and thus it is improper to combine these references. In particular, if proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Hence, Applicant respectfully asserts independent claims 1 and 14 are patentable and in condition for allowance. In addition, as claims 2-6 and 15-19 depend from independent claims 1 and 14, Applicants believe these claims are also

patentable and in condition for allowance. Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art, Smiley, Ullman, and Brauch as applied to claim 6 above and further in view of Powell et al. Claims 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Smiley, Ullman, and Brauch as applied to claim 1 above and further in view of Meissner et al. Claims 20 and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art in view of Smiley, Ullman, and Brauch as applied to claim 14 above and further in view of Meissner et al, hereinafter Meissner. Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over admitted prior art in view of Smiley, Ullman, and Brauch as applied to claim 1 above and further in view of Basu. Claim 32 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Brauch et al. as applied to claim 31 above, and further in view of Meissner. These rejections are respectfully traversed.

Applicant notes Claims 7, 11, 12, 20, 21, 25 and 32 all depend from independent Claim 1, 14 or 26. As stated previously, Applicant believes Claims 1, 14 and 26 are patentable and in condition for allowance. Accordingly, Applicant believes Claims 7, 11, 12, 20, 21, 25 and 32 are also patentable and in condition for allowance. Reconsideration and withdrawal of these rejections are respectfully requested.

Claims 26-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Smiley and Brauch et al. (U.S. Pat. No. 5, 553,088). This rejection is respectfully traversed.

Applicant notes independent Claim 26 includes "said second one of said pair of surfaces including a coating which is substantially reflective of radiation at a laser gain wavelength...said second one of said pair of surfaces being attached to said support surface of said substrate...." As stated previously, it is improper to modify the teachings of Smiley with the teachings of Brauch to arrive at Applicant's claimed invention. In particular, the placement of a reflective coating on the invention of Smiley would prevent Smiley's invention from functioning as intended as the laser would not be able to pass through the substrate. Thus, Applicant respectfully submits independent Claim 26 is patentable over Smiley and Brauch. In addition, as Claims 27-34 depend from Claim 26, Applicant believes Claims 27-34 are also patentable and in condition for allowance. Reconsideration and withdrawal of this rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 8 and 24 would be allowable if rewritten in independent form. Accordingly, Applicant has added new claims 35-42 in which new independent Claims 35 and 42 include allowable subject matter of claims 8 and 24. Thus, claims 35-42 should now be in condition for allowance.


CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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